They Caught the Kentucky Killer

DEFIANT OUTLAW LI

Last week B.C. crime historian Cecil Clark told how 98 years ago a 34-year-old Kentucky-born outlaw named Boone Helm, rated the worst desperado in the West, fled from Idaho after murdering a gambler called "Dutch Fred." Now wanted for murder and horse stealing in California, Oregon, Utah and Idaho, Helm decides to head for Vancouver Island.

CONCLUSION

FROM the deck of a small side-wheel steamer the rangy figure of Boone Helm came down the gangplank to the Enterprise Wharf, one afternoon in early October, 1862. The wharf was on the east side of Victoria's harbor, whose waters were being ruffled by a chill southwest breeze from across the Straits.

The motley collection of Victorians that Helm passed on the wharf, looked and spoke like any other group of merchants and miners he'd seen in his travels.

Up along Wharf Street he noted the same "San Francisco" fronts on the warehouses and stores, and round the corner in Lower Yates Street the gas-lit gambling houses seemed well patronized. From some of the saloons came the strains of music and the laughter and squeals of the hurdy girls, and there was even the familiar Wells Fargo sign.

As Helm clumped along the uneven plank sidewalk with his stiff legged horseman's gait he thought the scene little different from Yuba City, Hangtown or Yreka.

But there was a subtle difference, not readily apparent. It was in the matter of civic government. While Vancouver Island in '62 was "away out west," it was the west under a different flag. Below the line, if life was cheap and gunplay commonplace, north of the line the courts had the last word, and resort to firearms was relatively infrequent. As a matter of record, gun-toting on Victoria's streets had been taboo since the summer of '58. In this British colony, its society a peculiar mixture of the old world and the new, the laws and ordinances had a constabulary capable of enforcing them.

Back of this pattern of law and order was the colony's six-foot-four Chief Justice Matthew Begbie, who, in his travels round the longest judicial circuit in the British Empire, was equally proficient with his fists or a fiat. On the bench he awed newcomers not only by the crispness of his grey horse-hair wig but his equally crisp tongue.

Boone Helm, of course, was unaware of these underlying differences as he took in the sights and sounds of Victoria's streets. To him it was just another western town, another opportunity to assert himself. Visiting one or two Government Street groggeries, he ordered liquor, drank it up and when it was time to pay, merely eyed the barkeep with a malevolent grin and remarked, "I'm Boone Helm, and I never pay for liquor."

IT WAS IN THE ADELPHI, however, that he met his Waterloo. This low-roofed, one-storey wooden building stood on the southwest corner of Yates and Government, where the post office now stands. Round the outside of the Adelphi ran the usual permanent wooden awning held up by curbside posts underneath which, at night, burned a single gas light. Sam Militich was proprietor, and into Sam's crowded bar Boone Helm pushed his way about 10 o'clock on Sunday night, October 12, 1862. He loudly called for whisky and the bar tender pushed a bottle and glass in front of him. After his third drink Helm turned to go.

"You forgot something, mister," came the quiet reminder. Helm turned and surveyed him.

"The money," said the man in the apron. "Six bits."

"D'ye know who I am?" enquired the Kentuckian in a rasping tone. "I'm Boone Helm. And I'm a dangerous man."

"I don't care who you are," came the barman's calm reply. "You owe me six bits."

Then his eye wandered over to proprietor Militich standing near the door, and he half inclined his head in a sort of confidential signal. Militch stepped outside and looking round spotted City Police Sergeant George Blake. He beckoned the law over.

"What's the trouble?" said Blake.

"A man in here trying to make trouble . . . Won't pay for his drinks."

"I think I've heard of him already tonight," was Blake's reply, as he went through the swinging doors.

He eyed Helm, then announced: "Alright, fellow, pay the man what you owe him." The barroom clamor seemed to still to a low buzz as Helm suddenly found himself the centre of interest. He liked being the centre of interest, and he still wouldn't pay.

"Then you'd better come with me," intimated the police sergeant, and the Kentucky bad man found himself being propelled through the door. Not only through the door but down Yates Street,

If you look closely you can see the names on these, two of the tombstones erected in memory of five evil men. Helm's is on the right. His epitaph, "Boone Helm, hanged, Jan. 14, 1864."

around into Langley and finally up the steps of the police barracks in Bastion Square. He was booked for disorderly conduct.

WHEN MINUTES LATER a cell door clanged behind him, it was for him a brand new experience. For 13 years he'd gouged, fought, shot and stabbed his way out of one predicament after another; gunfighter, horse thief, and stage robber, wanted for murder in half a dozen states, he had never (believe it or not) been in jail before!

Next morning he came up before Magistrate Augustus Pemberton in the police court. When he saw Sergt. Blake and pub-keeper Militich ranged against him, somehow it began to dawn upon him that he'd become involved in a much too technical type of society; a community where standards of conduct seemed to be too finely drawn.

He fell back on a plea for pity. He was a stranger, he said, friendless and without money. Lack of money had got him into this diffieulty. In fact, he said, if it hadn't been for the warm sanctuary of the prison cell the night before, he might have had to walk the streets.

The bench was prepared for this gambit, and Magistrate Pemberton asked Robert Bishop, a local lawyer who happened to be in court, to handle the stranger's defence. Unfortunately Mr. Bishop's client was in a worse fix than he had reckoned on. Boone Helm, the night before, had been doing a little boasting among the inmates of the Bastion Street pokey, hinting at some of his exploits across the line; even went so far as to tell them of the fate of Dutch Fred in Florence, Idaho. Which caused Sergt. Blake to intimate to the court that he believed the prisoner to be a fugitive from Idaho, possibly wanted for murder.

The conscientious Mr. Bishop objected to this statement. It was impossible under the circumtances, he told the court, for his client to get an unbiased hearing with this sort of thing going on. Saloon man Militich gave his evidence and the upshot was that Boone Helm was convicted of disorderly conduct and ordered to furnish security for his good behavior for six months by posting a bond of £50, and two separate sureties of £20 each, or else. The alternative was a month in jail.

Maybe Pemberton imposed the stiff penalty to give the city's chief of police, Horace Smith, time to communicate with Idaho.

Helm, unable to post the bond, was locked up and in the ensuing weeks the local police tried to get in touch with the sheriff at Florence, Idaho. Either he didn't exist or the letter miscarried. Anyway no word being received, Boone Helm was released a the end of a month.

FROM VICTORIA the cocksure Kentucklan crossed to the mainland and from Yale made his way up to the Cariboo. There he spent the winter of 1862-63. Gossip linked his name with the unsolved murder of three storekeepers at Antler Creek, but nothing tangible came of it.

It was in February, '63, that a Yorkshireman called Tomkins ("Tom") Collinson (who goes down in local history as the first white settler on Mayne Island) returning from Barkerville, was stopped one afternoon by two men. It was near Cook's Ferry (now Spences Bridge) and one of the men boasted he was Boone Helm as he stuck a revolver in Collinson's midriff.

His accomplice stepped behind the victim with a sheath knife and cut the straps of Collinson's pack. Picking it up, Helm waved its owner down the trail at gun point, with an insolent, "On your way, and don't look back."

Deprived of his pack and his small store of gold dust, the angry Collinson reported the affair to the B.C. Police at Yale, who circulated a description of Helm.

Though routine, it was needless, for on May 1, 1863, Boone Helm and his pal rode in to Yale, and were promptly arrested.

Meantime word had been received from Victoria that the desperado was indeed wanted for murder in Idaho, and in due course a U.S. marshal called Brandian arrived at Yale. He escorted the prisoner down to New Westminster, then across to Victoria and finally by steamer to Olympia.

Word of Boone Helm's exploits across the line had caused a bit of a stir in Victoria and when word spread that he was departing for Olympia there was quite a crowd down on the wharf to see him. It was a send-off to Helm's liking, and the local press reported that he swaggered on deck, smoking a cigar, looking anything but penitent as a prisoner. From Olympia he was taken by stage to Portland and finally to Florence, Idaho.

The outlaw had three brothers who came out to the coast from Missouri between 1848 and 1860. Little is known of them (except they all died violent deaths) but the oldest was nicknamed "Old Tex."

Tex was prospecting around Boise when he heard of his younger brother's trouble with the law. He went up to the mountain mining camp of Florence and spread enough money around to buy off the witnesses to the killing of Dutch Fred. Which accounts for the fact that the prosesution was noticeably weak, and Boone Helm walked out of the courtroom a free man.

Then he tried his hand mining with Old Tex, until again came the old urge for travel and excitement.

"If you want any excitement," counseled his older brother, "why don't you go down to Texas and join the Confederate Army?"

It seemed a good idea and off Boone set, staked by Tex to a horse, some blankets and grub.

A WEEK OR SO LATER he happened to stop overnight in Virginia City, Nevada, where the dance halls, saloons and gambling houses strung out along Alder Gulch between Junction and Summit reminded him of Barkerville. On the fringe of town was a community that interested him: the settlement of Alder Gulch, a regular hell's kitchen and rendezvous of some of the toughest characters in the northwest.

Boss of this criminal colony was suave and steely Henry Plummer, to whom the whole of southeastern Nevada paid tribute. This association of crooks had been formed the year before at a place aptly called Robber's Roost and Plummer applied business-like organization to its criminal operations. His gang of 50 hardened ruffians were styled "The Innocents" and split up to cover various communities.